

## UNITED STATES PATENT AND TRADEMARK OFFICE



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/777,694	02/07/2001	Kazutami Arimoto	49657-994	4365
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McDERMOTT, WILL & EMERY			EXAMINER	
600 13th Street Washington, D	, N. W. C 20005-3096		YOHA, CONNIE C	
			ART UNIT	PAPER NUMBER
			2818	
			DATE MAILED: 09/10/2002	

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary    Connis c. Yoha	_ <u>~</u> }				
## Defice Action Summary    Examin r		•	Application N .	Applicant(s)	-1.
Connile c. Yoha  The MAILING DATE of this communication appears on the cover sheet with the correspondence address—  Peri of for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  If the period for nolly specified above is less than their (20) stays, a reply within the stitutory minimum of their (20) stays will be considered timely.  If the period for nolly specified above is less than their (20) stays, a reply within the stitutory minimum of their (20) stays will be considered timely.  If the period for nolly specified above is less than their (20) stays, a reply within the stitutory minimum of their (20) stays will be considered timely.  If the period for nolly specified above is less than their (20) stays, a reply with the stitutory minimum of their (20) stays will be considered timely.  If the period for nolly specified above is less than their (20) stays.  Any reply received by the Office later than them enables after the mailing date of this communication, even if timely filed, may reduce a new second patent torm deplatment.  Status  Status  Status  Status  Status  Scappinsive to communication(s) filed on QT February 2001.  2e) This action is FINAL.  2b) This action is non-final.  3) Since this application is in condition for allowance except for formal matters, prosecution as to the ments is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disp stition of Claims  4) Claim(s)			09/777,694	ARIMOTO ET AL.	()
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Application/Control Number: 09/777,694

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## **DETAILED ACTION**

## Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- Claim 1-12, drawn to memory device having refresh control operation, classified in class 365, subclass 222.
- II. Claim 13-17, drawn to memory device having row selection control circuitry, classified in class 365, subclass 230.06.

The inventions are distinct, each from the other because of the following reasons:

Inventions I, and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I, has separate utility such as refresh control operation. Invention II, has separate utility such as row selection control circuit carrying out an operation related to row selection. See MPEP § 806.05(d).

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one

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or more of the currently named inventors is no longer an inventor of at least one claim

remaining in the application. Any amendment of inventorship must be accompanied by

a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Connie c. Yoha whose telephone number is (703)-306-

5731. The examiner can normally be reached on 9-5 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, David Nelms can be reached on (703) 308-7910. The fax phone numbers

for the organization where this application or proceeding is assigned are (703)308-7722

for regular communications and (703)308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is (703) 305-

0956.

C. Yoha

August 6, 2002

Connie C. Yoha

PATENT EXAMINER

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